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REMARKS

The Application has been carefully reviewed in light of the Office Action mailed April 26, 2007. At the time of this Office Action, Claims 1-23 were pending in the Application and Claims 1-23 were rejected. The following actions were taken or matters raised: (I) Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention, (II) Claims 1, 19 and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Erimli et al. (US Pat. 6,405,258), Claims 1-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Erimli in the view of Nelisse (European Application 1079660), Claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Erimli in the view of Ivancovsky et al (US Application 2004/016359). In order to advance prosecution of this case by overcoming the rejections asserted by the Office, Claims 1, 2, 5, 10, 19 and 23 have been amended, Claims 3, 4 and 13-18 have been canceled and remarks addressing such rejection are presented herein. The Applicant respectfully requests reconsideration and favorable action in this case.

Rejections Under 112, Second Paragraph

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended appropriately for overcoming such rejection.

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Rejections Citing Ermli, Nelisse and/or Ivancovsky

Claims 1, 19 and 23 was rejected under 35 U.S.C. § 102(e) as being anticipated by Ermli et al. (US Pat. 6,405,258). Claims 1-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ermli et al. (US Pat. 6,405,258) in the view of Nelisse (European Application 1079660). Claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ermli et al. (US Pat. 6,405,258) in the view of Ivancovsky (US Pat Pub. 2004/-136359). The Applicants assert that, in view of amended independent Claims 1 and 23, the present invention as recited in the claims of record clearly distinguished from Ermli and/or Nelisse, thereby providing advantageous, useful and non-obvious functionality with respect to Ermli and/or Nelisse. Accordingly, the Applicants submit that the rejection under 35 U.S.C. § 102(e) applied to Claims 1, 19 and 23 and the rejection under 35 U.S.C. § 103(a) applied to Claims 1-18, 20, 21 and 22 are overcome and respectfully requests the Office to withdraw such rejections.

Independent Claims 1 and 23 have each been amended to characterize the invention with greater specificity in view of Ermli, Nelisse and/or Ivancovsky. More specifically, Claims 1 and 23 have each been amended to recite, "designating a plurality of virtual space regions in the buffer, wherein each one of said virtual space regions serves a respective packet communicating session"; "detecting packet congestion in at least one congested virtual space region in the plurality of virtual space regions, wherein said detecting includes detecting when a number of packets stored in said one congested virtual space region exceeds a region threshold corresponding to said one congested virtual space region"; "responsive to a detection by the circuitry for detecting that the number of packets stored in said one congested virtual space

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region exceeds the region threshold, for issuing a pause message along an output to at least a second network node”; “wherein the pause message indicates a message ingress address and a message egress address, the message ingress address and the message egress address corresponding to a network ingress address and a network egress address in a congestion-causing packet received by the first network node and wherein the network ingress address and the network egress address correspond to the session served by said one congested virtual space region such that the pause message indicates a single network ingress address and a single network egress address corresponding to said one congested virtual space region”; and “wherein the pause message commands the second network node to discontinue, for a period of time, transmitting to the first network node any packets that have the message ingress address and the message egress address thereby temporarily interrupting transmission of any packets corresponding to the session served by said one congested virtual space region.”

Erimli, Nelisse and Ivancovsky do not disclose or suggest: 1.) designating a plurality of virtual space regions in the buffer, wherein each one of said virtual space regions serves a respective packet communicating session, 2.) detecting packet congestion in at least one congested virtual space region in the plurality of virtual space regions, wherein said detecting includes detecting when a number of packets stored in said one congested virtual space region exceeds a region threshold corresponding to said one congested virtual space region, 3.) that the network ingress address and the network egress address correspond to the session served by said one congested virtual space region such that the pause message indicates a single network ingress address and a single network egress address corresponding to said one congested virtual space region, and 4.)

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that the pause message commands the second network node to discontinue, for a period of time, transmitting to the first network node any packets that have the message ingress address and the message egress address thereby temporarily interrupting transmission of any packets corresponding to the session served by said one congested virtual space region. Accordingly, the present invention advantageously provides for per-session flow control functionality. In this manner, limiting packet flow for one session need not adversely impact packet flow for a different session. A skilled person will appreciate that such per-session functionality as provided by the present invention cannot be provided and is not intended to be provided by implementations of the disclosures by Erimli, Nelisse and/or Ivancovsky.

In view of the amendments made to Claims 1 and 23 and the associated remarks, Claims 1 and 23, and all claims dependent thereon, are patentable over Erimli, Nelisse and/or Ivancovsky because Claims 1 and 23 recite features, physical structure and/or function not present in, configured for being provided by, or intended to be provided by system or methods in accordance with the disclosures of Erimli, Nelisse and/or Ivancovsky, and therefore distinguish physically over Erimli, Nelisse and/or Ivancovsky. Accordingly, the Applicant submits that the rejection under 35 U.S.C. § 102(c) as being anticipated by Erimli, the rejection under 35 U.S.C. § 103(a) as being unpatentable over Erimli in the view of Nelisse, and the rejection under 35 U.S.C. § 103(a) as being unpatentable over Erimli in the view of Ivancovsky are each overcome and respectfully requests the Office to withdraw such rejections.

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CONCLUSIONS

The Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, the Applicants respectfully request full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of the Application, the Applicants invite the Examiner to contact the undersigned at 512-306-8533 at the Examiner's convenience.

Respectfully submitted,

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